

AFTER ACTION AGENDA

**REGULAR CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 4, 2012
6:30 P.M.**

**DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA**



AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL - CITY CLERK**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
 - A. **Invocation Presented by Commissioner Herzberg – Rabbi Winston Weilheimer, Congregation Beth Shalom, Orange City, Florida.**
4. **APPROVAL OF MINUTES & AGENDA:**
 - A. **Minutes:**

Regular City Commission Meeting – August 20, 2012.

The Commission voted unanimously to approve the minutes of the Regular City Commission meeting of August 20, 2012.
 - B. **Additions or Deletions to Agenda.**
5. **PRESENTATIONS/AWARDS/REPORTS:**
 - A. **Proclamation – Deputy Karen Piece named School Resource Deputy of the Year for the 2011/2012 School Year, and as the Deputy of the Second Quarter for 2012.**
6. **PUBLIC FORUM – Citizen comments for any items.
(4 minute maximum length)**

CONSENT All items marked with an * will be considered by one motion unless removed
AGENDA: from the Consent Agenda by a member of the City Commission.

7. CONSENT AGENDA:

- * A. Request for approval of Resolution No. 2012-27, Ratifying results of Primary Election held on August 14, 2012.**

The City held a Primary Election for Commission District No. 6 on August 14, 2012. The results of the election are to be ratified by the City Commission.

Approved by Consent Agenda to adopt Resolution No. 2012-27 as presented to ratify the result of the City's Primary Election held on August 14, 2012.

- B. Request for approval to inactivate items in the fixed asset tracking module.**

The City's Finance Department, along with the fixed asset custodians from each department has completed this year's physical inventory of all fixed assets within the City. Over the years, some items have been traded in, were at the end of their lifecycle, cannibalized, obsolete or no longer supported by the vendor but the proper paperwork may not have been turned in to Finance or items have been sold but not removed in the fixed asset tracking module. Other items are unidentifiable and no longer have book value. Most of the items on the list have no residual book value. This request is for approval to inactivate those items in the fixed asset tracking software in order to clean up our records. At least one annual inventory will be performed and reconciled to the accounting fixed asset tracking software. Training will also be provided to Directors and Fixed Asset Custodians to ensure that our fixed asset tracking module accurately reflects the City's assets.

The removal of these items from the fixed asset module will not have a budgetary impact.

After discussion, the Commission voted unanimously to approve inactivating the items on the attached spreadsheet in order to clean up the fixed asset tracking module.

- C. Request for approval of Resolution No. 2012-22 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.**

Over time certain items of the City become obsolete or lose their usefulness via replacement, upgrade, or they are no longer functional and need to be declared

surplus or disposed of by the most appropriate means available. The resolution declares certain vehicles, equipment and miscellaneous items as surplus.

After discussion, the Commission voted unanimously to adopt Resolution No. 2012-22 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.

***D. Request for Award of Bid #12012 for Group Life, AD&D, Short Term and Long Term Disability.**

Rather than automatically renewing with our current insurance providers for Life/Accidental Death & Disability and for Short Term Disability/Long Term Disability insurance, at the recommendation of our Broker of Record, Gene Gizzi, we went out to bid to see if we could save money. We received the results via the formal bid process and analyzed them for viable coverage and premium savings.

Our review committee, comprised of HR and Finance members, recommend the renewal action identified on the Insurance Recommendation Information Sheet which, if accepted as presented, will save the City \$33,230 in upcoming FY 2013 and approximately \$69,160 over two years (since renewal rates are guaranteed for at least two years).

Approved by Consent Agenda to award Minnesota Life the Group Life/AD&D insurance at a total annual cost of \$44,040 and to award Cigna the short term disability at \$40,500 annually and the long term disability at \$7,458 annually.

***E. Request for Award of Bid #PW12-15 Tivoli/Wheeling Pump Station.**

Purchasing solicited bids for furnishing, delivering and installing all materials, equipment and services, including labor for a new pump station located at Tivoli and Wheeling Drive. This is a joint funded project with the City having been awarded a grant from Volusia County - DCA for the majority of the project. The Tivoli/Wheeling area intersection experienced flooding during Tropical Storm Fay in residences and adjacent properties. An existing stormwater pump station was overwhelmed by the quantity of stormwater, resulting in flooding of the immediate areas. Based upon evaluation conducted by the City's consulting engineers, the replacement of this pump station and the construction of a new force main would resolve the flooding in the area and would eliminate the threat of flooding on private property in this area.

Notification of the bid went out to 893 companies. Four bids were received for this project. The low bid was received from McMahan Construction at a total cost of \$578,200.

Approved by Consent Agenda to award bid number #PW12-15 for the Tivoli/Wheeling Pump Station to McMahan Construction Co., Inc. at a total cost of \$578,200.

8. ORDINANCES AND -PUBLIC HEARINGS:

A. Public Hearing - Resolution No. 2012-23, Adopting the Tentative Millage Rate for FY 2012/2013.

State law requires that the City hold a public hearing on the tentative budget and proposed millage rate between 65 and 80 days from the date (July 1, 2012) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Property Appraiser on or about August 17, 2012.

At this hearing, the City will:

- First discuss the percentage increase or decrease in millage over the rolled-back rate. The millage rate reflects no increase from the rolled-back rate.*
- Adopt a tentative millage (Resolution No. 2012-23) and budget (Resolution No. 2012-24) by separate vote and in that order as required by State law.*
- If the tentatively adopted millage rate exceeds the proposed rate presented in the TRIM Notice (7.9900), each taxpayer within the City must be notified of the increase by first class mail.*
- Prior to adopting the millage-levy resolution, the name of the taxing authority (City of Deltona, Florida), the rolled-back rate (8.3591), and the percentage increase or decrease compared to the rolled-back rate (-4.42%), and the millage rate to be levied (7.9900) must be publicly announced. The tentative millage rate and budget will be used to advertise the final hearing scheduled for September 17, 2012.*

After discussion, the Commission voted 6 to 1 (with Commissioner Zischkau voting against the motion) for the approval of Resolution No. 2012-23, adopting the tentative millage rate of 7.9900 mills for the levy of ad valorem taxes for fiscal year 2012/13.

B. Public Hearing - Resolution No. 2012-24, Adopting the Tentative Annual Budget for FY 2012/2013.

State law requires that the City hold a public hearing on the tentative budget and proposed millage rate between 65 and 80 days from the date (July 1, 2012) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Property Appraiser on or about August 17, 2012.

At this hearing, the City will:

- *Amend the tentative budget and re-compute its proposed millage rate, and publicly announce the percent, if any, by which the recomputed proposed millage exceeds the rolled-back rate.*
- *Adopt a tentative millage (Resolution No. 2012-23) and budget (Resolution No. 2012-24), in that order.*
- *If the tentatively adopted millage rate exceeds the proposed rate presented in the TRIM Notice (7.9900), each taxpayer within the City must be notified of the increase by first class mail.*
- *The adopted tentative millage and budget will be used to advertise the final hearing scheduled for September 17, 2012.*

After discussion, the Commission voted 5 to 2 (with Commissioners Denizac and Zischkau voting against the motion) for the approval of Resolution No. 2012-24, adopting a tentative budget for fiscal year 2012/2013.

C. Public Hearing – Conceptual Site Plan (CSP12-003)/Final Site Plan (FSP12-004) for the Dollar General Retail Store at Stratford Commons.

The subject property consists of ±3.07 acres and is currently vacant/undeveloped. The property is within the Quarter path Trace Final Plat (Final Plat) that includes a 14-lot commercial subdivision with a drainage retention easement and spine road (Stratford Commons) serving the project. The proposed Dollar General site includes the combination of Lots 1-4 of the Final Plat, that portion of the utility and drainage easement encumbering those lots along the north property boundary, and the existing drainage retention easement.

The applicant is proposing the construction of a ±9,002 SF Dollar General Retail store that is served by two drainage ponds, two access points along Stratford Commons, and a parking facility. The proposed drainage ponds do not utilize the existing pond serving the master development, which was constructed for the Stratford Commons roadway.

The site is narrow and is adjacent to existing single family residential uses to the north, which front on Diamond Street. Due to that proximity to existing home sites, the applicant will be required to plant additional screening and landscaping material to buffer the Dollar General from view from the north. The proposed project landscaping will also extend along the north, east and south sides of the existing drainage facility to create a uniform landscape and treated edge of the project for appearances.

The proposed retail site has a Commercial future land use designation and a C-1 (Retail Commercial) and is a permitted use within that zoning district. The proposed use is consistent with the existing entitlements (the City's Comprehensive Plan and Land Development Code). Adjoining lands to the west and south are entitled for commercial uses and are vacant. The proposed development would be compatible with commercial development, when those tracts are developed. The depth of the proposed site and the proximity of the

existing residential uses to the north pose a compatibility issue, which is not uncommon in urban areas where residents live close to residentially-serving retail uses. This is addressed by the need for additional screening, which the applicant has provided.

Based on the above, the proposed use is an appropriate use for the existing entitlements at this location and has the public infrastructure in place to serve the project.

After discussion, the Commission voted unanimously to approve Conceptual Site Plan (CSP12-003)/Final Site Plan (FSP12-004) for the proposed Dollar General at Stratford Commons.

- D. Ordinance No. 10-2012, Adding Article IX, “Soliciting/Peddling” to Chapter 22, “Business” of the Code of Ordinances of the City of Deltona (Requested by Commissioner Denizac).**

Per the request of Commissioner Denizac, Ordinance No. 10-2012 addresses the issue of soliciting/peddling within the City of Deltona.

After discussion, the Commission voted unanimously to table Ordinance No. 10-2012 (time certain) until the next regular scheduled Regular City Commission Meeting on September 17, 2012.

9. OLD BUSINESS: None

10. NEW BUSINESS:

- A. Consideration of the submitted applications regarding the naming of the McGarrity Kirkhill Regional Stormwater Project.**

The City of Deltona purchased the Ledford Farm property to construct a wet detention stormwater treatment system; as a requirement of the St. Johns River Water Management District. The purpose was to provide relief of flooding identified as a result of the 2003 flooding and 2004 hurricanes. A stormwater grant was approved and funded by the Florida Department of Environmental Protection which allowed for the City of Deltona to build the wet detention treatment system on roughly 25 of the 60-acre area.

Utilizing the grant money, the Public Works Department was able to bid and construct a pump station, force main, treatment pond system, parking area, wetlands crossing boardwalk and mulched trails. In doing so, the area will be open to the public to serve as an educational and recreational park. Displays will be throughout the park to educate the public about wetlands/uplands ecosystems, stormwater pollution and treatment.

A 5' wide mulched trail around the wetland and the stormwater wet detention system will allow the public to walk through the park and experience firsthand the natural ecosystem and the stormwater system.

This agenda item is to consider selecting a name for this facility. The City Commission adopted a formal "Policy and Procedure for Naming/Renaming City of Deltona Parks, Facilities and/or Buildings".

After discussion, the Commission voted unanimously that the property currently known as the McGarrity Kirkhill Regional Stormwater Project be named Audubon Park and to direct staff as necessary.

- B. Resolution No. 2012-29, amending the existing minimum fund balance policy to add an Economic Development Incentive reserve and a City Infrastructure reserve.**

The City adopted Resolution 2011-31 on September 6, 2011 which established a minimum fund balance policy for the City's General Fund. Staff is proposing the City add two additional reserves, an Economic Development Incentive reserve of \$1 million and a City Infrastructure reserve of \$1 million. The purpose of these additional reserves is to provide funding for incentives designed to stimulate economic development within the City of Deltona and to provide some funding for infrastructure improvements necessitated by that economic development.

After discussion, the Commission voted 5 to 1 (with Commissioner Zischkau voting against the motion) for the approval of Resolution 2012-29 establishing a \$1 million Economic Development Incentive reserve and a \$1 million City Infrastructure reserve.

- 11. CITY COMMISSION COMMENTS:**
- 12. CITY ATTORNEY COMMENTS:**
- 13. CITY MANAGER COMMENTS:**
- 14. ADJOURNMENT:**

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Kent 48 hours in advance of the meeting date and time at (386) 878-8500.